

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1261

S.P. 424

In Senate, March 30, 2017

An Act To Protect Minors from Sex Trafficking

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator DIAMOND of Cumberland.
Cosponsored by Representative STEWART of Presque Isle and
Senators: CYRWAY of Kennebec, DILL of Penobscot, MASON of Androscoggin, MILLETT
of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 17-A MRSA §281, sub-§1-A** is enacted to read:

3 1-A. "Commercial sexual act" means a sexual act as defined in section 251,
4 subsection 1, paragraph C for which anything of value is given to, promised to or
5 received by any person or engaging in patronizing prostitution as defined in section 855,
6 subsection 1-A.

7 **Sec. 2. 17-A MRSA §§286 and 287** are enacted to read:

8 **§286. Electronic enticement of a minor to engage in commercial sexual act**

9 1. A person is guilty of electronic enticement of a minor to engage in a commercial
10 sexual act if the person knowingly uses electronic communications to entice, promote or
11 solicit a minor or a law enforcement decoy posing as a minor to engage in a commercial
12 sexual act.

13 2. A violation of this section is prima facie evidence of the person's intent to cause
14 the minor to engage in any offense listed under chapter 11, chapter 12 or chapter 35, and
15 the offense is complete at that point without regard to whether the person met or
16 attempted to meet the minor or whether the minor actually engaged in an offense listed in
17 this subsection.

18 3. Electronic enticement of a minor to engage in a commercial sexual act is a Class C
19 crime.

20 **§287. Arranging travel for sex tourism with a minor**

21 1. A person or agent of a person is guilty of arranging travel for sex tourism
22 involving a minor if the person intentionally or knowingly advertises, arranges,
23 facilitates, offers, promotes, purchases or sells or attempts to advertise, arrange, facilitate,
24 offer, promote, purchase or sell travel services involving a commercial sexual act with a
25 minor.

26 2. Arranging travel for sex tourism with a minor is a Class C crime.

27 **Sec. 3. 17-A MRSA §852, sub-§1, ¶B**, as amended by PL 2013, c. 407, §2, is
28 further amended to read:

29 B. Promotes prostitution of a person less than 18 years ~~old~~ of age; or

30 **Sec. 4. 17-A MRSA §852, sub-§1, ¶C**, as enacted by PL 2013, c. 407, §2, is
31 amended to read:

32 C. Promotes prostitution of a person who suffers from a mental disability that is
33 reasonably apparent or known to the actor and that in fact renders the other person
34 substantially incapable of appraising the nature of the conduct involved; or

35 **Sec. 5. 17-A MRSA §852, sub-§1, ¶D** is enacted to read:

